

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

United States of America,

Plaintiff/Respondent,

v.

Honorable Sean F. Cox

Erie Adams,

Criminal Case No. 13-20874

Defendant/Petitioner.

Civil Case No. 17-11866

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**ORDER GRANTING**  
**PETITIONER'S APPLICATION TO PROCEED *IN FORMA PAUPERIS* ON APPEAL**

This Court previously issued an Opinion & Order Denying Petitioner's Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 and declined to issue a certificate of appealability.

The matter is currently before the Court on Petitioner's application seeking to proceed *in forma pauperis* on appeal.

The standard for issuing a certificate of appealability is a higher threshold than the standard for granting *in forma pauperis* status, which requires showing that the appeal is not frivolous. Although this Court declines to issue a certificate of appealability because the standards for such are not met, the issues are not frivolous. Therefore, an appeal could be taken in good faith, and Petitioner may proceed *in forma pauperis* on appeal. 28 U.S.C. § 1915(a)(3); FED. R. APP. P. 24(a)(2); *Foster v. Ludwick*, 208 F.Supp.2d 750, 764 (E.D. Mich. 2002).

Accordingly, IT IS ORDERED that Petitioner's application to proceed *informa pauperis* is GRANTED.

IT IS SO ORDERED.

s/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: September 5, 2019